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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,383	01/09/2004	Guy Loewy	A9053	6091
23373 7590 03/17/2009 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER				
JEAN, FRANTZ B				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/753,383

Applicant(s)

LOEWY ET AL.

Examiner

Frantz B. Jean

Art Unit

2454

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-80 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-80 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

This office action is in response to applicant's response filed on 12/22/08. Claims 1-80 are pending in the application. Claim 80 has been added.

Drawings

The corrected drawings were received on 06/10/04 and were considered by the examiner. These drawings are place in the file.

Response to Arguments

Applicant's arguments with respect to claims 1-80 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peled et al (hereinafter Peled) USPGPUB number 20050288939 in view of Carroll USPGPUB number 20020085020.

As per claims 1 and 80, Peled teaches a method, comprising: configuring a policy, said policy including a policy element, said policy applicable to a plurality of interface document types (par 0095; abstract); and comparing one of a plurality of interface documents of said plurality of interface document types to said policy (fig 11 and 13). Peled fails to explicitly teach policy comprising conformance rule, which defines standard to which the policy should conform. Carroll teaches the conformance rule and standard as described above (see Carroll, par 0021). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Carroll's conformance rule and standard to Peled' system to define and specify attributes applicable for plurality of document types. One of ordinary skill in the art at the time of the invention would do so to achieve a scalable service.

As per claim 2, Peled-Carroll teaches a method of claim 1, further comprising

conforming said interface document to said policy (see Carroll. Par 0021).

As per claim 3, Peled-Carroll teaches a method of claim 1, wherein said configuring a policy comprises: creating a policy in a computing system; defining a policy element; providing configuration parameters for said policy element; and providing a policy definition, said definition including one or more policy elements (Peled, abstract; par 0135 and 0169).

As per claim 4, Peled-Carroll teaches a method of claim 3, comprising resolving conflicts between policy elements in a selected policy (Peled, fig 13-14).

As per claim 5, Peled-Carroll teaches a method of claim 1, wherein comparing said plurality of interface documents of said plurality of interface document types to said policy comprises initiating an automated compliance test on said interface document (see Peled, fig 11, 13-14).

As per claim 6, Peled-Carroll teaches a method of claim 1, wherein comparing said plurality of interface documents of said plurality of interface document types to said policy comprises: uploading an interface document; performing a compliance test on said interface document; and reporting said results of said compliance test (Peled, 0198-0199).

As per claim 7, Peled-Carroll teaches a method of claim 2, wherein said conforming said interface document to said policy comprises: raising an exception request to a policy element; if a policy element is not approved to be an exception, correcting said interface document; and if a policy element is approved to be an exception, granting conformance to said policy element (Peled, par 0193-0196; Carroll, par 0021).

As per claim 8, Peled-Carroll teaches a method of claim 2, wherein said conforming said interface document to said policy comprises initiating a compliance test such that a pass or not pass result is determined, based on the information in said interface document and said policy element (Peled, 0195-0196; Carroll, par 0021).

As per claim 9, Peled-Carroll teaches a method of claim 2, wherein said conforming said interface document to said policy comprises: in the case where an interface document does not provide enough information to determine whether a said policy element is to be passed, checking whether said policy element provides a guided interaction process; and if said policy element does provide a guided interaction process, determining whether to pass the conformance of said interface document to said policy element in accordance with a response to said guided interaction process (Peled, par 0195-0196; Carroll, par 0021).

As per claim 10, Peled-Carroll teaches a method of claim 2, wherein said conforming said interface document to said policy comprises reviewing said interface document for

conformance to said policy element, by a user (Peled, par 0193 and 0195-0196; Carroll, par 0021).

As per claim 11, Peled-Carroll teaches a method of claim 2, wherein said conforming said interface document to said policy comprises determining conformance based on a process selected from the group consisting of using information in said interface document and said policy element, using a guided interaction process, and reviewing said interface document for conformance to said policy element by a user (Peled, par 0193 and 0195-0196; Carroll, par 0021).

As per claim 12, Peled-Carroll teaches a method of claim 2, wherein said conforming said interface document to said policy comprises determining conformance based on information in said interface document and said policy element, and based on a guided interaction process (Peled, fig 11 and 13-14; par 0193 and 0195-0196; Carroll, par 0021).

As per claim 13, Peled-Carroll teaches a method of claim 1, comprising: initiating an exception request to said policy; distributing said exception request to a relevant user; performing an analysis on the impact of said exception request; and resolving said exception request by granting or not granting an approval (Peled, fig 11 and 13-14; par 0193-0196).

As per claim 14, Peled-Carroll teaches a method of claim 1, comprising providing a user with a list of potentially reusable interfaces components; analyzing potential reusability of interfaces components, based on a provided list and project information; and determining which interfaces components may be re-used (Peled, par 0193 and 0195-0196).

As per claim 15, Peled-Carroll teaches a method of claim 14, comprising executing a cost analysis associated with selected reusable interfaces components (Peled, par 0008; claim 191).

As per claim 16, Peled-Carroll teaches a method of claim 14, comprising alerting relevant users of the assignment of reusability guidelines to an interface document (Peled, fig 15, element 1560).

As per claim 17, Peled-Carroll teaches a method of claim 1, comprising: when a change in a policy element is made, testing whether said policy element change conflicts with other policy elements that are defined in a policy; and if there is a conflict, generating a conflict alert (fig 13-15).

As per claim 18, Peled-Carroll teaches a method of claim 17, comprising analyzing the impact of solving said conflict (Peled, par 0193 and 0195-0196).

As per claim 19, Peled-Carroll teaches a method of claim 17, comprising: generating an impact analysis report comprising a description of an impact of a conflict on an interface document (Peled, par 0193 and 0195-0196).

As per claim 20, Peled-Carroll teaches a method of claim 17, comprising, after a conflict has been resolved, applying said policy element change to a policy (Peled, fig 11, 13-14; par 0193 and 0195-0196).

As per claim 21, Peled-Carroll teaches a method of claim 1, comprising: accepting an escalation indication from a user; notifying relevant users about an escalation process being initiated for an interface document; and receiving a response from a relevant user escalating said response (Peled, par 0193 and 0195-0196).

As per claim 22, Peled-Carroll teaches a method of claim 1, comprising: selecting a policy to be assigned; assigning said policy to an interface document (Peled, par 0195).

As per claim 23, Peled-Carroll teaches a method of claim 22, comprising, where a plurality of policies are assigned to an interface document, determining if conflicts occur between policy elements of said plurality of policies (Peled, par 0195 et seq).

As per claim 24, Peled-Carroll teaches a method of claim 22, comprising: alerting relevant users of said policy assignment; and negotiating said policy assignment

between said relevant users (Peled, fig 13 and 15; par 0195-0196).

As per claim 25, Peled-Carroll teaches a method of claim 1, comprising: defining global cost parameters for a set of interface documents; defining alerting rules associated with said global cost parameters; recording information relating to development of said interface documents; analyzing recorded information according to said global cost parameters; and generating alerts to relevant users, according to said information analysis (Peled, par 0008 and 0135).

Claims 26-79 explicitly or implicitly contain the same limitations as discussed in claims 1-25 above. Therefore, they are rejected under the same rationale.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Frantz B. Jean/
Primary Examiner, Art Unit 2454